

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-7 are pending in the application, with claims 1, 3, 4, and 6 being the independent claims. Claims 1-7 are amended herein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 112***

The Examiner rejected claims 1-5 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. Applicants have amended claims 1-5 to clarify the claimed invention. In light of these amendments to the claims, Applicants respectfully request the withdrawal of this §112 rejection.

***Rejections under 35 U.S.C. § 102***

The Examiner rejected independent claim 1 and claim 2, which depends therefrom under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent JP 4-109471. Claim 1, as amended, recites "an energizing member disposed next to at least one valve arm; and a support shaft which supports the selected fuel injection nozzle, the valve arms, and the energizing member; wherein the selected fuel injection nozzle retainer is energized against the valve arms by an energizing force of the energizing member." JP 4-109471 does not disclose an "energizing member." Thus,

claim 1 is patentable over JP 4-109471. Claim 2 depends from and add features to claim 1. Claim 2 is patentable for at least the same reasons as is claim 1.

The Examiner rejected independent claim 6 under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent JP 10-9092 or US Patent No. 4,383,557 to Johnson (Johnson). Claim 6, as amended, is directed to "a fuel pipe penetrating a valve arm casing, the valve arm casing being arranged above a cylinder head so as to contain valve arms and a fuel injection nozzle, wherein the fuel injection nozzle is supplied with fuel through the fuel pipe, and the valve arm casing is provided at a portion thereof penetrated by the fuel pipe with a seal member for sealing the fuel pipe and with a notch for making a gap between the seal member and the penetrated portion of the valve arm casing for receiving a tool for removing the seal" Neither JP 10-9092 nor Johnson teach a notch having the function of "receiving a tool for removing the seal" as claimed. For at least this reason, claim 6 is patentable over these references.

Claim 7, as amended, depends from and adds features to claim 1. Claim 7 is patentable for at least the same reasons as amended claim 1 discussed above.

Applicants respectfully request the withdrawal of the 35 U.S.C. § 102(b) rejections.

***Rejections under 35 U.S.C. § 103***

The Examiner rejected claims 3-5 under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 5,609,134 to Schmidt (Schmidt). Claim 3, as amended, specifically calls for "a fuel injection nozzle retainer for fixing a fuel injection nozzle into a cylinder head, which is formed on a first end portion thereof with a notch, wherein the notch is placed around a head bolt fastening the cylinder

head onto a cylinder block." As best seen in Fig. 10 of the instant application, the retainer is 65, the head bolt is 38 and the notch is 65b. The Examiner has taken the position that this configuration is obvious in light of Schmidt. Schmidt does disclose a fuel injection nozzle held in cylinder head 1 by a retainer (clamping claw 33) and a head bolt (not numbered). Claw 33 does have a U-shape forming a notch. However, the notch is not around the head bolt, as claimed. It is to one side of the head bolt. Thus, the Examiner has not made out a prima facie case of obviousness. Therefore, claim 3 is patentable over Schmidt.

Claim 4 calls for "a fuel injection nozzle retainer for fixing a fuel injection nozzle into a cylinder head, wherein the **fuel injection nozzle retainer is supported at one end thereof by a head bolt** fastening the cylinder head onto a cylinder block. The Examiner does not mention this feature of claim 4 in his rejection and therefore has not made out a prima facie case of obviousness. Nevertheless, the retainer 33 of Schmidt is not supported at one end by the head bolt. It is supported in the middle by the head bolt. Thus claim 4 is patentable over Schmidt. Claim 5 depends from and adds features to claim 4. Claim 5 is patentable for at least the same reasons as is claim 4.

Applicants respectfully request the withdrawal of the 35 U.S.C. § 103 rejections.

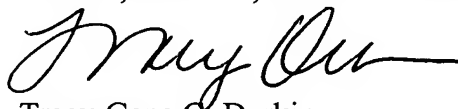
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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